

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

BRODERICK V. BULLOCK, SR.,

Plaintiff,

v.

HYATTE,

Defendant.

CAUSE NO.: 3:19-CV-081-JD-MGG

OPINION AND ORDER

Broderick V. Bullock, Sr., a prisoner without a lawyer, is currently proceeding on a claim for injunctive relief against Warden Hyatte in his official capacity related to injuries he sustained on February 2, 2019, after he was attacked by a fellow inmate at the Miami Correctional Facility. ECF 4. Because it appeared to the court that Bullock may have been attempting to expand the scope of his lawsuit to add additional claims, remedies, and/or defendants (ECF 19), he was instructed to amend his complaint by:

plac[ing] this cause number on a copy of the court's approved form—Prisoner Complaint (INND Rev. 8/16)—which is available in the prison law library. As the instructions on the court's complaint form explain, Bullock needs to write a short and plain statement telling what each defendant he is suing did wrong. He needs to explain when, where, why, and how each defendant violated his rights. He needs to include every fact necessary to explain his case and describe his injuries or damages. And, he needs to use each defendant's name every time he refers to that defendant.

ECF 20. The case was stayed pending the screening of a potential amended complaint.

Instead of filing an amended complaint on the proper form, Bullock filed multiple documents asking for various forms of relief in a piecemeal fashion. ECF 21,

22, 24. For example, Bullock requests “immediate judgment in the sum of \$1,000,000” against Warden Hyatte to pay for eye surgery and to compensate him for pain and suffering related to the long-term injuries he suffered during the February 2nd attack. ECF 21. He also appears to be attempting to add a claim for damages against Warden Hyatte based on an understaffing policy that allegedly led to the attack. ECF 22. And, he complains that Warden Hyatte should be held personally liable for his injuries because he is now aware of but continues to be deliberately indifferent to his ongoing medical needs. ECF 22, 24. One of these documents, entitled “Motion Demand of Judgment, Entitled to (Relief of my Claim),” has been filed as a motion. ECF 24. In it, Bullock asks the court to “treat my complaint as raising my claim” of deliberate indifference against Warden Hyatte and other unnamed prison officials and hold them liable “in the sum of \$1,000,000 for violation of my (Eighth Amendment rights), medical care (Fourth Amendment rights), and failure to follow instructions of specialist recommendations, damages, and blindness to my eyes, and failure to comply to surgeries by specialists.” *Id.* at 2–3.

However, the court’s Local Rules prohibit parties from amending complaints in this manner; instead, amendments must reproduce the entire pleading as amended and must not incorporate another pleading by reference. N.D. Ind. L.R. 15-1. Therefore, the court finds that the documents submitted (ECF 21, 22, 24) do not serve to properly amend Bullock’s original complaint, and the motion (ECF 24) will be denied to the extent that it seeks to add additional claims for relief and requests an entry of judgment.

If he still wishes to add additional claims, remedies, and/or defendants to this lawsuit, Bullock must file an amended complaint on a copy of the court's approved Prisoner Complaint form. As the instructions on that form explain, Bullock needs to write a short and plain statement telling what each defendant he is suing did wrong. He needs to explain when, where, why, and how each defendant violated his rights. He needs to include every fact necessary to explain his case and describe his injuries or damages. Importantly, he needs to use each defendant's name every time he refers to that defendant. If he intends to amend his complaint, he must do so by June 21, 2019. As it stands, the case will continue only against Warden Hyatte in his official capacity for injunctive relief related to the injuries he sustained on February 2, 2019.

For these reasons, the court:

- (1) DENIES the motion (ECF 24);
- (2) DIRECTS the clerk to put this cause number on a blank Prisoner Complaint (INND Rev. 8/16) form and send it to Broderick V. Bullock, Sr.; and
- (3) GRANTS Broderick V. Bullock, Sr., until **June 21, 2019**, to file an amended complaint containing all of his claims, remedies, and defendants on that form.

SO ORDERED this May 23, 2019.

s/Michael G. Gotsch, Sr.
Michael G. Gotsch, Sr.
United States Magistrate Judge